

REMARKS/ARGUMENTS

As indicated in the Office Action, claims 1-8 and 10-21 were rejected as being unpatentable under 35 U.S.C. § 103. Claims 1, 2, 7, 13-17 were rejected under 35 U.S.C. § 103 for being unpatentable over U.S. Patent Pub. No. 2002/0122585 to Swift et al. (“*Swift* ‘585”) in view of U.S. Patent No. 5,481,275 to Mical (“*Mical*”). Claims 3-6, 8-12, and 18-21 were rejected under 35 U.S.C. § 103 for being unpatentable over Swift ‘585 in view of Mical and U.S. Patent No. 5,982,941 to Loveridge (“*Loveridge*”). Applicants respectfully traverse the various grounds of rejections for at least the reasons set forth below.

Claim 1 recites a method of converting an input image of a source format to an output image of a desired stereoscopic format, including in part, the approach of “**identifying ... display methods that are compatible** with the source format of the input image ...,” and “**allowing a desired display method to be chosen from identified compatible display methods**” Similar elements are also included in independent claims 13 and 16. As disclosed at page 7, line 25 to page 8, line 8 of Applicants’ Specification, a support matrix table may be configured to contain information to establish whether the combination of converting the first format to the second format for a desired display method is *possible* to produce, and whether the combination is supported by a viewer to display the output images in the desired display method. Such a support matrix table may be “used to *prevent invalid combinations* from being available and selectable by the user.” *Id* at page 8, lines 7-8.

Applicants respectfully assert that the steps of identifying compatible display methods and allowing a desired display method to be chosen from compatible display

methods are wholly missing in *Swift* '585. It is alleged in Office Action (at page 5) that the claimed elements of “identifying display methods that are compatible with the source format of input; allowing a desired display to be chosen from identified compatible display methods” were disclosed in Figure 9 of *Swift* '585, which shows “a webpage with several display format options, the script buttons.” Below is a copy of paragraph 51 of the *Swift* '585 patent, which describes the disclosure of Figure 9 of *Swift* '585.

[0051] Using a script system, the viewing system is instructed to change display modes on the fly. The user can issue a command using a script to specify any viewing mode. All stereoscopic media files that are displayed on that web page are then dynamically switched to the new viewing method. **FIG. 9** illustrates a script command to set the display mode to Color Anaglyph **900**. The Web Page as received has media files as illustrated by Stereo Image Grey Anaglyph **904**; Stereo Image Color Anaglyph **906**; Stereo Image Cross-eye **908** and Stereo Image Parallel **910**; Stereo Image Interleaved **912**; and Stereo Image Interleaved **914**. With the Button: Set to Display mode to Color Anaglyph **916**, the Script Commands sets the Display Mode Color Anaglyph **918**. The system converts all the media files to Color Anaglyph as illustrated by files **920** through **930**. This embodiment is critical in providing an easy to use 3D stereoscopic viewing system.

According to paragraph 51 as shown above, *Swift* '585 discloses a script system that receives different types of media files 904, 906, 908, 910, 912, and 914, and “converts all the media files to Color Anaglyph as illustrated by files 920 through 930. *Swift* '585, however, neither contemplates the possibility that one or more source formats 904, 906, 908, 910, 912, and 914 may be *incompatible* with the chosen Color Anaglyph format nor provides a way to identify and distinguish compatible display methods from incompatible

display methods. As such, *Swift* '585 has failed to disclose “identifying ... display methods that are compatible with the source format of the input image ...,” and “allowing a desired display method to be chosen from identified compatible display methods” as required by independent claims 1, 13, and 16.

The deficiency of *Swift* '585 is not cured by *Mical* or *Loveridge*, both of which are entirely silent on “identifying ... display methods that are compatible with the source format of the input image ...,” and “allowing a desired display method to be chosen from identified compatible display methods” as required by independent claims 1, 13, and 16. Applicants thus respectfully submit that the teachings of *Swift* '585, *Mical*, and *Loveridge*, even when combined, do not teach or suggest every element of claims 1, 13, and 16 and cannot support a *prima facie* case of obviousness. Accordingly, for at least the reasons detailed above, Applicants respectfully request the withdrawal of the rejections under 35 U.S.C. § 103 with respect to claims 1, 13 and 16 and all claims dependent therefrom.

CONCLUSION

The Examiner notes in the Notice to Non-Compliant Amendment that “each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified.” The Response to Non-final Office Action previously dated April 27, 2010 inadvertently reflected strikeout corresponding to the prior amendment to claims 1 and 13 as presented in the Response to Final Office Action dated September 24, 2009. Applicants have revised the listing of claims in the present Revised Response to Non-final Office Action to remove the mark-up for the previously presented amendment. Based on the above remarks and the arguments presented in the previously submitted Response of April 27, 2010, Applicants respectfully assert that the pending claims are in condition for allowance, and a Notice of Allowance is thus respectfully requested. Applicants believe that no additional fees are necessitated by this response. The Commissioner is hereby authorized to charge any additional fees required by this response to our Deposit Account No. **13-0480** (Attorney Docket No. 95194936-044021). The Examiner notes in the Notice to Non-Compliant Amendment that “Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified.” The Response to Non-final Office Action previously filed April 27, 2010 inadvertently reflected strikeout amendment to “previously presented” claims 1 to delete the words “second”, “input” and “a” and claim 13 to delete the word “first.” Applicants have corrected Claims 1 and 13 in this Revised Response to Non-final Office Action to remove the strikeout in the previously presented claims. No amendments were made to the claims. Based on the above Amendments and remarks, Applicants respectfully assert that the pending claims are in condition for

allowance and, as such, a Notice of Allowance is respectfully requested. Applicants believe that no additional fees are necessitated by this response. The Commissioner is hereby authorized to charge any additional fees required by this response to our Deposit Account No. **13-0480** (Attorney Docket No. 95194936-044021).

Respectfully Submitted,

/Charles C. Yang, Reg. No. 62,059/

Date: June 7, 2010

By: Charles C. Yang
Registration No. 62.059
Baker & McKenzie LLP
2001 Ross Avenue, Suite 2300
Dallas, TX 75201
Telephone: (214) 978-3020
Facsimile (214) 978-3099